

**LIBERTY
JUSTICE CENTER**

December 17, 2024

The Honorable Daniel J. Calabretta
Robert T. Matsui United States Courthouse
501 I Street
Sacramento, CA 95814
Courtroom 7, 14th Floor

Re: *Chino Valley United School District, et al. v. Newsom, et al.*, No. 2:24-cv-01941-DJC-JDP

Dear Judge Calabretta:

In the interest of candor, Plaintiffs' counsel submits this letter to call attention to incorrect statements in Plaintiffs' Response to Defendants' Motion to Dismiss (Doc. 24) in the above-captioned matter. Specifically, *Tennessee v. Cardona*, No. 2:24-cv-72, 2024 WL 3019146 (E.D. Ky. June 17, 2024) and *Ricard v. Geary County Unified School District 475*, No. 5:22-cv-4015, 2022 WL 1471372 (D. Kan. May 9, 2022), cited on pages 13 and 28, should not have been cited for the propositions for which they were cited. Defendants have correctly noted this on page 16 of their reply brief (Doc. 26). Likewise, *Sweat v. Hull*, 200 F. Supp. 2d 1162 (D. Arizona 2001), cited on page 22, should not have been cited for the proposition for which it was cited, and Defendants note this on page 8 of their reply brief. Additionally, the citation to *Braunfeld v. Brown*, 366 U.S. 599 (1961), on page 14 of Plaintiffs' response should have included a notation that the dissent of Justice Brennan was cited.

These errors entered the document late in the editing process after cite checking had already occurred. Counsel did not intend to mislead the Court or opposing counsel, apologizes, and will take care to avoid such errors in future filings.

Sincerely,



Emily Rae

Cc:

Darrell W. Spence (Darrell.spence@doj.ca.gov)
Emmanuelle S. Soichet (Emmanuelle.soichet@doj.ca.gov)
Jennifer A. Bunshoft (Jennifer.bunshoft@doj.ca.gov)
Shatti A. Hoque (Shatti.hoque@doj.ca.gov)